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**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN D. SUTTON,

Petitioner,

v.

COMMONWEALTH, et al.,

Respondents.

Civ. No. 17-109 (BJR)

ORDER

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE**

The Court, having considered the Report and Recommendation of Magistrate Judge Susan Paradise Baxter, and no objections having been filed, **HEREBY ORDERS:**

(1) The Court **ADOPTS** the Report and Recommendation.

(2) The petition for habeas corpus is **DENIED**.

(3) A certificate of appealability is **DENIED**.

(3) The case is **CLOSED**.

(4) The Clerk shall send copies of this Order to the parties.

**SO ORDERED.**

Dated this 7th day of August, 2017.



Barbara Jacobs Rothstein  
U.S. District Court Judge